

IN RE: PETITION FOR ZONING VARIANCE • BEFORE THE
E/S Deer Cross Court, 327.00' • ZONING COMMISSIONER
R of Inter. w/ Durkee Farm Rd • OF BALTIMORE COUNTY
9 Deer Cross Court • Case No. 92-14-A
4th Election District •
1st Councilmanic District •
Hal A. Miller, et ux •
Petitioners •

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request, pursuant to the Petition for Zoning Variance, a variance from Section 400.1 of Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners, by Hal Miller, appeared and testified. Appearing as Protestants were Mel Shermin, Mike McCastle and Eric Durkee.

Testimony indicated that the subject property, known as 9 Deer Cross Court, consists of 3.02 acres +/-, zoned R.C.4 and is currently improved with the subject single family dwelling.

Testimony indicated that the Petitioner is desirous of constructing a detached garage similar in architecture to the existing garage which is attached to the subject home. Mr. Miller testified that he will utilize the proposed garage for the storage of domestic yard and garden equipment and will not use it for commercial purposes. He testified that he currently has drainage problem across his lawn and that the proposed location for the subject garage is the most practical to avoid rain water from entering the garage.

Mr. Eric Durkee, a Protestant, testified that the Homeowners Association's covenants require that all garages constructed in this community be

attached and that construction of the proposed garage would not be compatible with the existing community.

Mr. Mike McCastle, a Protestant, testified that he resides at 22 Deer Cross Court and indicated that he was concerned that the proposed garage would be utilized for commercial purposes. He also indicated that, in his opinion, the construction of the proposed garage would adversely affect property values in this community.

Mr. Mel Shermin, a Protestant, testified that he resides at 30 Deer Cross Court and he also was opposed to the granting of the requested relief.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In reviewing the evidence, there is insufficient evidence to allow a finding that the Petitioner would experience practical difficulty or unreasonable hardship if the requested variance was denied. The testimony

presented by the Petitioner was in support of a matter of a preference rather than of the necessity for the variance. The Petitioner has failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of Sept, 1991 that, pursuant to Petition for Zoning Variance, a variance from Section 400.1 of Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit No. 1, is hereby DENIED.

Robert Haines
ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/nmm
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **92-14-A** #30
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described by the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason (Indicate hardship or practical difficulty):

Due to the contour of the rear grade the best place is on the side of the existing dwelling. Building the garage in line with rear the water would be trapped on the driveway.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	MAP NW 1/2	Legal Owner(s):
(Type or Print Name)	E D	HAL A. MILLER
Signature	DATE: 9/13/91	(Type or Print Name)
Address	200	MARY J. MILLER
City/State/Zip Code	1000	(Type or Print Name)
Attorney for Petitioner:	DP	<i>Mary J. Miller</i>
(Type or Print Name)		
Signature		
Address		
City/State/Zip Code		
Attorney's telephone number:		

ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of Sept, 1991, that the subject matter of this petition be posted on the property on or before the 14th day of Sept, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of Sept, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 14th day of Sept, 1991, at 10:00 a'clock.

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-14-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9 Deer Cross Ct.
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Due to the contour of the rear grade the best place is on the side of the existing dwelling. Building the garage in line with rear the water would be trapped on the driveway.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Hal A. Miller
AFFIANT (Handwritten Signature)
Hal A. Miller
AFFIANT (Printed Name)

Mary Miller
AFFIANT (Handwritten Signature)
Mary Miller
AFFIANT (Printed Name)



STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of Sept, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Hal A. Miller & Mary Miller

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

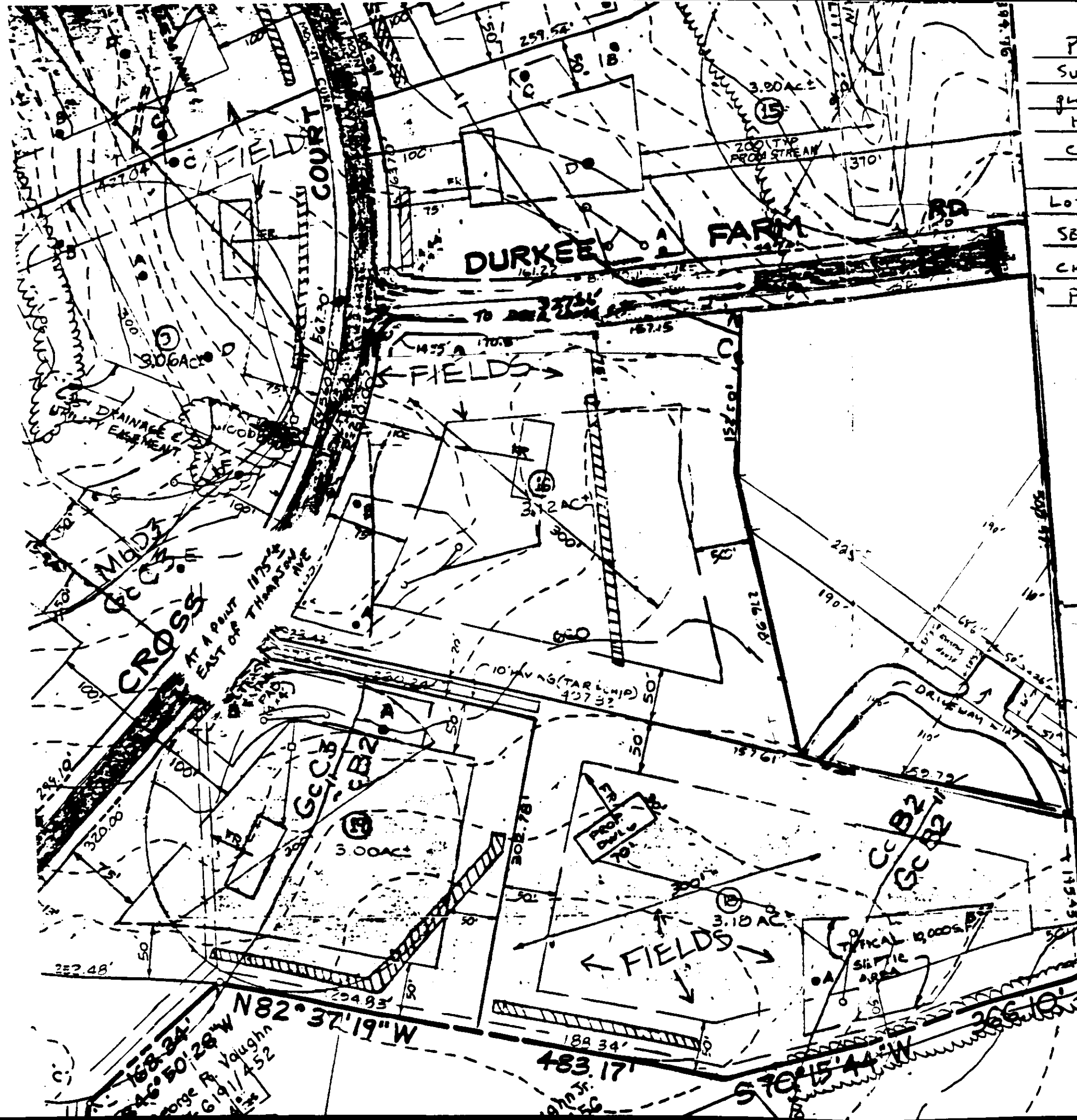
Katherine G. Gull
NOTARY PUBLIC
My Commission Expires: 9/14/92

Zoning DESCRIPTION

92-14-A

Typical metes and bounds: N00° 25' 99" W 152.00" N 19° 45' W 276.98' S 80° 55' 00" E 259.79' S 07° 25' 33" E 509.57' N 79° 45' 00" E 290.00'

BEING KNOWN AND DESIGNATED AS LOT NO. 17, as SHOWN ON A PLAT ENTITLED Amended plat of Deer Cross which plat is recorded among the Land Records of Baltimore County in Plat Book No. 54 Folio 137. Also known as 9 Deer Cross Ct. and located in the 4th Election District.



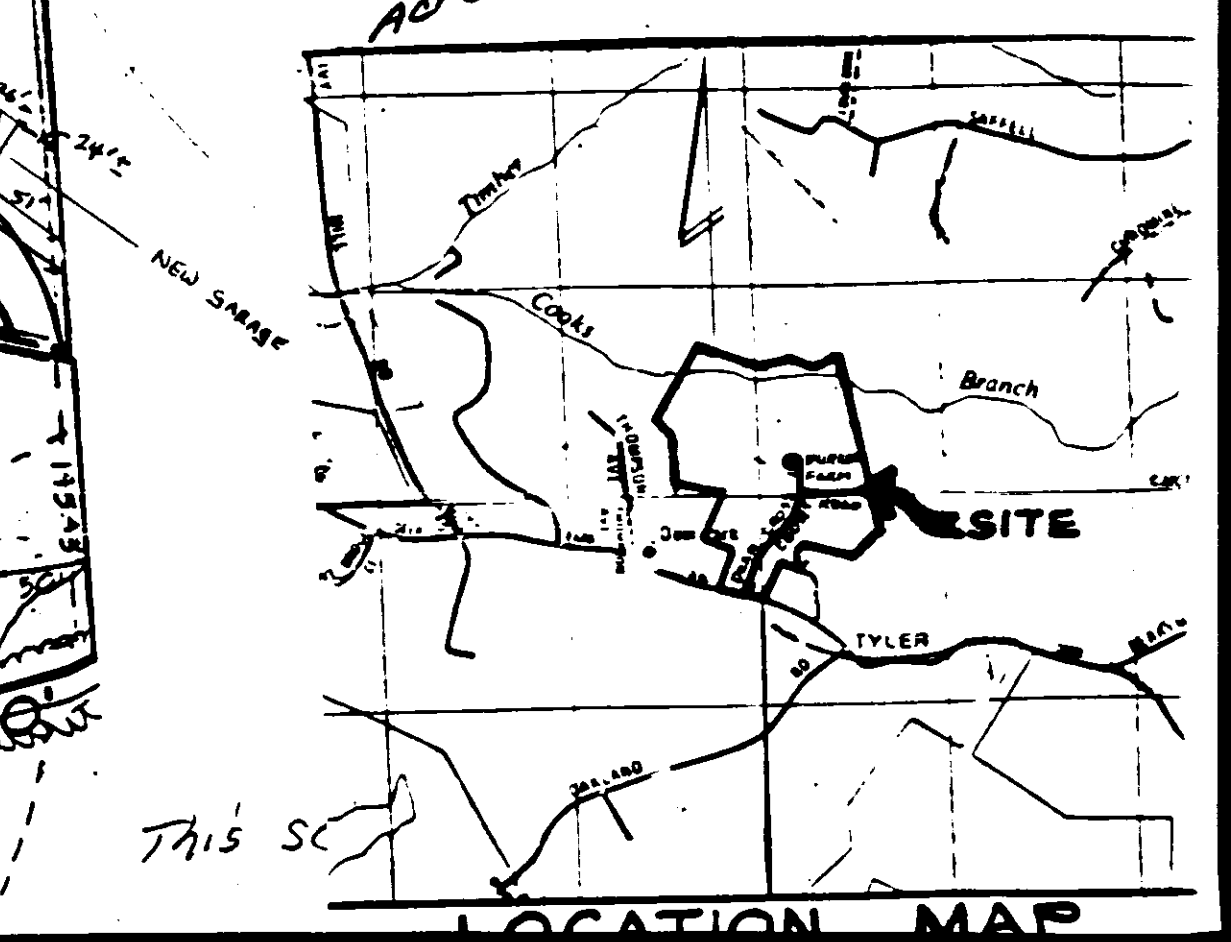
PROPERTY ADDRESS - 9 DEER CROSS CT
SUBDIVISION NAME - DEER CROSS
PLAT BOOK - 54 FOLIO 137 LOT 17
HAL AND MARY MILLER
COUNCILMANIC DISTRICT - 3 ELECTION DISTRICT - 4
1" = 200' SCALE MAP NW 1/2 Zoning RC4
LOT SIZE 3.02 ACRES

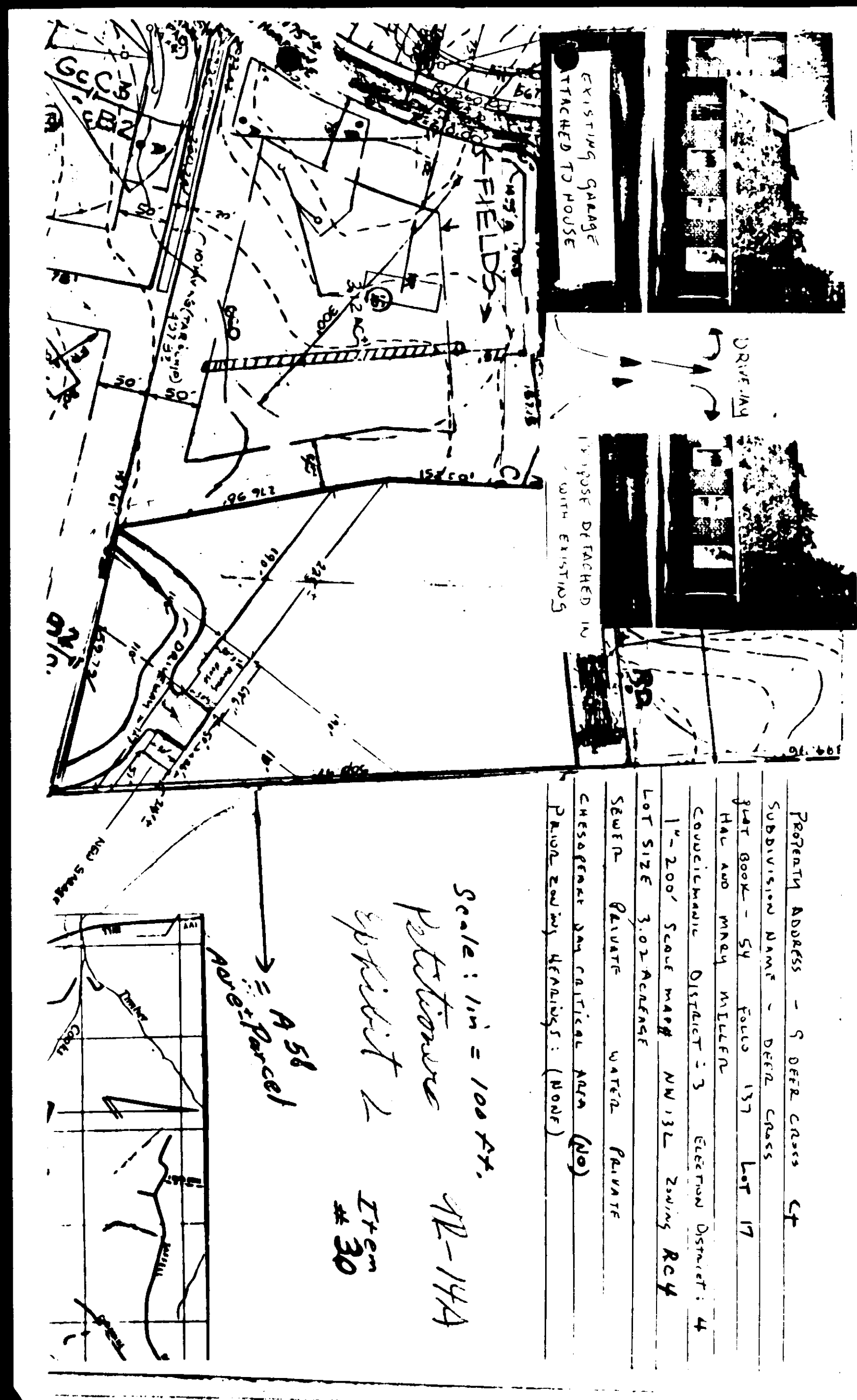
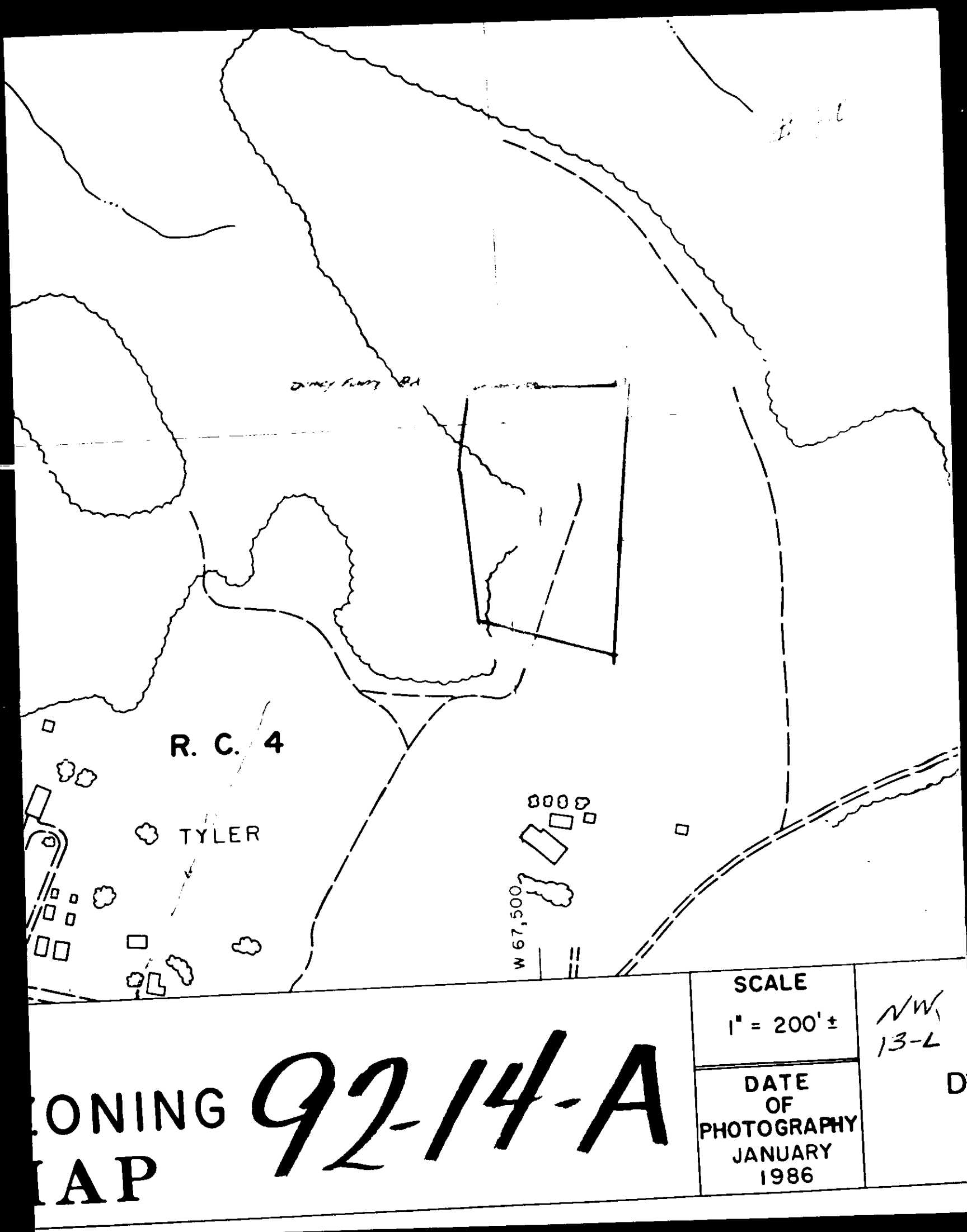
SEWER - PRIVATE WATER - PRIVATE
CHESAPEAKE SANITATIONAL AREA (NO)
PRIOR ZONING HEARINGS: (NONE)

Petitioners Exhibit 1
Scale: 1" = 100'

92-14-A Item #30

300' ± to Nearest House = A 58
Acres Parcel





OWINGS ENTERPRISES TEL No. 833-8999 SEP. 6.91 10:09 P.01

Deer Cross Architectural Committee

August 10, 1991

Mr. and Mrs. Hal and Mary Miller
7 Deer Cross Ct.
Reisterstown, MD 21136

Dear Mr. and Mrs. Hal and Mary Miller,

The purpose of this letter is to inform the Deer Cross home and lot owners about several recent events in the Deer Cross community.

First, we wish to draw your attention to the Notice of Hearing which has been posted on the Miller's lot at 9 Deer Cross Court (see attached form). Mr. and Mrs. Miller have applied for permission to build an additional detached garage. Although the Architectural Committee has not received any application from the Millers as required by the Deer Cross Covenants, our information is that they wish to use this building as a commercial facility in which to put construction materials and equipment.

The Deer Cross Covenants and Restrictions require that all garages be attached to the house, so this is clearly a violation.

In addition, Mr. Miller is currently storing construction materials in a trailer on lot 3. This too is in violation of the Covenants.

We are concerned that if these violations are allowed to continue they could adversely affect the values of our properties. We wanted to make you aware of what is happening, so that you can attend and express your opinion at the hearing on 11:00 AM Friday, September 6, in Room 106 of the County Office Building, 111 West Chesapeake, Towson, MD.

The Architectural Committee
Deer Cross

PETITIONER'S EXHIBIT

PETITIONER'S EXHIBIT 3

92-14A

SCHUSTER, MCKENNA & DURKEE
ATTORNEYS AT LAW
104 MAIN STREET
SECOND FLOOR
REISTERSTOWN, MARYLAND 21136

CARL A. DURKEE PA
PATRICIA F. MCKENNA
CHRISTOPHER F. SCHUSTER

August 26, 1991

Mr. Hal Miller
9 Deer Cross Court
Reisterstown, MD 21136

Dear Hal:

Mr. Owings and I have rejected the material that you submitted for your proposed garage. We will approve the garage if you meet the following conditions:

1. That you give us quality drawings of the garage, the facade on the garage and exactly where you intend to spot the garage. The materials that you submitted are entirely too crude.
2. That you attach the new garage to your dwelling in some way--perhaps by a breezeway, because we are not going to approve anything that violates the covenants.
3. That you agree not to store any building materials, equipment or anything of that nature on your property or mine.

As soon as you get this material to us, we will reconsider your request. In all likelihood, we will feel that we are able to approve your plan. The material that you submitted to us recently is not acceptable and the proposed garage is rejected.

Sincerely,

CARL A. DURKEE

CAD:ls

cc: Mr. John F. Owings
Mr. Eric A. Durkee
Interested Persons

PETITIONER'S EXHIBIT

PETITIONER'S EXHIBIT 2

92-14A

Baltimore County
Zoning Commission
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date _____

Please Make Checks Payable To: Baltimore County
040401212MCHRC
04040121219PM07-19-91 \$60.00

Cashier Validation

receipt

PETITIONER(S) EXHIBIT (3)

92-14A



CASE NUMBER

92-14-A

PETITIONER'S EXHIBIT #



"DEER CROSS" Covenants & Restrictions

THIS DECLARATION OF RESTRICTIONS, Made this 18th day of June, 1986, by Durkee, Owings & Durkee Venture, a

Maryland Partnership, Declarant and Reisterstown Federal Savings and Loan Association, Mortgagee.

The Declarant is the owner in fee simple of the lots numbered as shown on the following Plat:

Lots Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and Parcels "A", "B" and "C", the Plat entitled "Deer Cross", which Plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K., JR., No. 54, folio 137.

The Declarant, for the purposes of creating and maintaining a general scheme of development, desires that the aforesaid lots be subject to the covenants and conditions and restrictions hereinafter set forth.

NOW, THEREFORE, The Declarant for itself, its successors, and assigns, hereby declares that all the aforesaid lots shall be subject to the covenants, restrictions, conditions and reservations hereinafter set forth.

Lots as shown on the aforesaid plats of "Deer Cross" shall be used for private residential purposes only and no dwelling shall be erected, altered, placed or permitted to remain on any lot other than one detached dwelling not to exceed two and one half stories in height, said dwelling designed for single family occupancy. Single family occupancy shall not be construed to prevent the erection of a dwelling with an attached apartment or living area for use by member or members of the owner's family. Nothing herein contained shall prevent the use of part of a lot as a right of way for use by other lots within the subdivision. Residential use shall not bar a home office

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
CLERK DATE 6-18-86

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE JR DATE 6-18-86

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204

887 4554

September 11, 1991

Mr. and Mrs. Hal A. Miller
9 Deer Cross Court
Reisterstown, Maryland 21136

RE: Petition for Zoning Variance
Case No. 92-14-A

Dear Mr. and Mrs. Miller:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Robert Haines
Robert Haines
Zoning Commissioner

JRH:mmn
cc: Peoples Counsel
cc: Protestants

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

Date: August 30, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Fanni

SUBJECT: Z. A. C. Comments

Z. A. C. MEETING DATE: July 30, 1991

This office has no comments for item numbers 505,
3, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30 and 31.

Rahee J. Fanni
Rahee J. Fanni
Traffic Engineer II

RJF:bza

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

August 29, 1991

887 4554

Mr. & Mrs. Hal A. Miller
9 Deer Cross Court
Reisterstown, MD 21136

RE: Item No. 30, Case No. 92-14-A
Petitioner: Hal A. Miller, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Miller:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887 4554

Your petition has been received and accepted for filing this
19th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Hal A. Miller, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: August 13, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Fred Cross, Item No. 487
Lona Guise, Item No. 10
Hal Miller, Item No. 30

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
487/20.30/ZAC1

Rec'd 8/5/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
AUGUST 15, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 30
PROPERTY OWNER: Hal A. Miller, et ux

LOCATION: E/S Deer Cross Court, 327.66' of
Election District: 10
COUNCILMANIC DISTRICT: 3rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR 8 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Mark Shriver

22 Deer Cross Ct.

Mike McLaeth

22 Deer Cross Ct.

Chris Purpux

11431 Ridgely Lane

March 21/94

PROTESTANT(S) EXHIBIT (1)



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-14-A

District: *10* Date of Posting: *August 22, 1991*
Posted to: *Deer Cross Court*
Petitioner: *Hal A. Miller, et ux*
Location of property: *Deer Cross Court, E/S Deer Cross Court*
Location of Sign: *Deer Cross Court, E/S Deer Cross Court*
Remarks: *See attached map*
Posted by: *Pat Keller* Date of return: *August 22, 1991*
Number of Signs: *1*

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 8/26/91

COPY

Hal and Mary Miller
9 Deer Cross Court
Reisterstown, Maryland 21136

RE:
Case Number: 92-14-A
S/S Deer Cross Court, 327.66' E of intersection with Durkee Farm Road
9 Deer Cross Court
4th Election District - 3rd Councilmanic
Petitioner(s): Hal A. Miller, et ux
HEARING: FRIDAY, SEPTEMBER 6, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 91.34 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

AUGUST 5, 1991

COPY

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-14-A
S/S Deer Cross Court, 327.66' E of intersection with Durkee Farm Road
9 Deer Cross Court
4th Election District - 3rd Councilmanic
Petitioner(s): Hal A. Miller, et ux
HEARING: FRIDAY, SEPTEMBER 6, 1991 at 11:00 a.m.

Variance to allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard.

J. Robert Stephens
Zoning Commissioner of
Baltimore County

cc: Hal and Mary Miller
Mr. & Mrs. Durkee

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 1, 1991

COPY

Hal and Mary Miller
9 Deer Cross Court
Reisterstown, Maryland 21136

Re: CASE NUMBER: 92-14-A
S/S Deer Cross Court, 327.66' E of I/S with Durkee Farm Road
9 Deer Cross Court

Dear Petitioners:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case.

As you recall, the property must be reposted and notice of the hearing will be placed in two local newspapers. You will be billed for these advertising costs.

Formal notification of the hearing date will be forwarded to you shortly.

Very truly yours,

15/

G. G. Stephens
(301) 887-3391

7. Zoning Commissioner, please be aware that there are covenants & restrictions regarding this property which this builder & homeowner is aware. He is also aware that to ignore this covenants & restrictions is to take him to another court. * Aerial photo also is not correct, either as the planning & zoning map.

8. He now is encroaching on my property ^{\$30'} some of his builder's equipment. Tractors (2 or 3), big aluminum ones. Buck, concrete blocks, 3 wheel barrows. PVC pipe, lumber and 1 complete toilet set-up! (see full view)

5. He was given permission by my husband to have a utility trailer on our back lot. With the understanding that it was the trailer only. He now has lumber, block, signs etc. setting all around the trailer. I feel as though he will do the same if we don't say no. That would be a pain to be stuck with it. He already is now.

6. He bulldozed a strip through our woods from his property without our permission so he could take a trailer through the woods, for children's rides.

I feel he is trying to bypass the restrictions & covenants which he is fully aware of since he not only owns a home there but also purchased construction zone and is presently building one.

* Neighboring owner *Thank you Mary Miller*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: July 30, 91

Posted for: Residential Variance

Petitioner(s): Hal A. Miller et ux

Location of property: E side of Deer Cross Court, 327.66' E of I/S intersection with Durkee Farm Road, 9 Deer Cross Court

Location of Sign: Corner of 9 Deer Cross Court

Remarks: AJ

Posted by: AJ Date of return: 8-2-91

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD., 8-15, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8-15, 1991

THE JEFFERSONIAN,
S. Zeke Orlan
Publisher

\$ 66.34

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 92-14-A
Petitioner(s): HAL MILLER + MARY J. MILLER
Location: 9 DEER CROSS COURT

I/We, MARY ANN DURKEE
Name(s) (Type in print)
() Legal Owners () Residents, of
7A DEER CROSS COURT
Address
REISTERSTOWN MARYLAND 21136
City/State/Zip Code

which is located approximately 50 +/- feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Mary Ann Durkee 7-3
Signature Date

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 23, 1991

COPY

Hal and Mary Miller
9 Deer Cross Court
Reisterstown, Maryland 21136

Re: CASE NUMBER: 92-14-A
LOCATION: S/S Deer Cross Court, 327.66' E of intersection with Durkee Farm Road
9 Deer Cross Court

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

1) Your property will be posted on or before August 4, 1991. The closing date is August 19, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

15/

G. G. Stephens
(301) 887-3391

CERTIFICATE OF PUBLICATION
TOWSON, MD., 8-15, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8-15, 1991

OWINGS MILLS TIMES,
S. Zeke Orlan
Publisher

\$ 66.34